

Please type a plus sign (+) inside this box → 

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|--|
| Attorney Docket No. | 9-13528-177US |
| First Inventor | Scott S. PEGRUM |
| Title | HIGH AVAILABILITY PACKET FORWARDING APPARATUS AND METHOD |
| Express Mail Label No. | |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification [Total Pages **23**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **4**]
- Oath or Declaration [Total Pages **1**]
 - ☒ Newly executed (original or copy)
 - ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☒ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☒ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: _____ / _____

Prior application information:

Examiner: _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label **020988** or ☐ Correspondence address below
(Insert Customer No. or Attach bar code label here)

| | | | | | |
|---------|----------------|--------------|-----|--------------|--|
| Name | Ogilvy Renault | | | | |
| Address | | | | | |
| City | State | Zip Code | | | |
| Country | Telephone | 613-230-6072 | Fax | 613-230-6706 | |

| | | | |
|-------------------|---|-----------------------------------|------------|
| Name (Print/Type) | Max R. Wood | Registration No. (Attorney/Agent) | 40,388 |
| Signature |  | Date | 12/21/2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 942.00

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | |
| Filing Date | |
| First Named Inventor | Scott S. PEGRUM |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | 9-13528-177US |

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 19-5113
Deposit Account Name: OGILVY RENAULT

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 740 | 201 370 | Utility filing fee | 740.00 |
| 106 330 | 206 165 | Design filing fee | |
| 107 510 | 207 255 | Plant filing fee | |
| 108 740 | 208 370 | Reissue filing fee | |
| 114 160 | 214 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 740.00

2. EXTRA CLAIM FEES

Total Claims: 29
Independent Claims: 2
Multiple Dependent Claims: 0

Extra Claims: 9
Fee from below: 18
Fee Paid: 162.00

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 84 | 202 42 | Independent claims in excess of 3 |
| 104 280 | 204 140 | Multiple dependent claim, if not paid |
| 109 84 | 209 42 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 162.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for ex parte reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 400 | 216 200 | Extension for reply within second month | |
| 117 920 | 217 460 | Extension for reply within third month | |
| 118 1,440 | 218 720 | Extension for reply within fourth month | |
| 128 1,960 | 228 980 | Extension for reply within fifth month | |
| 119 320 | 219 160 | Notice of Appeal | |
| 120 320 | 220 160 | Filing a brief in support of an appeal | |
| 121 280 | 221 140 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,280 | 241 640 | Petition to revive - unintentional | |
| 142 1,280 | 242 640 | Utility issue fee (or reissue) | |
| 143 460 | 243 230 | Design issue fee | |
| 144 620 | 244 310 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 180 | 126 180 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| 146 740 | 246 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 740 | 249 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 740 | 279 370 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

SUBTOTAL (3) (\$) 40.00

SUBMITTED BY

| | | | | | |
|-------------------|-------------|-----------------------------------|------------|-----------|----------------|
| Name (Print/Type) | Max R. Wood | Registration No. (Attorney/Agent) | 40,388 | Telephone | (613) 230-6072 |
| Signature | | Date | 12/21/2001 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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OGILVY RENAULT

December 21, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231
U.S.A.

Sir:

Re: New United States Patent Application
Title: HIGH AVAILABILITY PACKET FORWARDING
APPARATUS AND METHOD
Inventor(s): Scott S. PEGRUM *et al.*
Assignee: Nortel Networks Limited
Our File: 9-13528-177US MRW:lf

Transmitted herewith for filing is the patent application of:

INVENTORS: Scott S. PEGRUM;
Matthew M. YUEN; and
Nabila OULD-BRAHIM

TITLE OF THE INVENTION:
HIGH AVAILABILITY PACKET FORWARDING APPARATUS
AND METHOD

The following documents are enclosed:

- a) Utility Patent Application Transmittal PTO/SB/05
- b) Our cheque No. 006926, Fee Transmittal Form PTO/SB/17 (in duplicate), and Patent Application Fee Determination Record PTO/SB/06, covering:

| | |
|------------------------------------|-----------------|
| Filing Fee | \$740.00 |
| Recording of Assignment: | \$ 40.00 |
| Total Number of Claims: 29 | |
| Claims in excess of 20 (9 @ \$18): | <u>\$162.00</u> |
| Total: | \$942.00 |

Lawyers and patent and trade-mark agents

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Canada H3A 2Y3

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Continuing the practices of
Meighen Demers
Ogilvy Renault
Swabey Ogilvy Renault

Montréal • Ottawa • Québec • Toronto • Vancouver • London (England)

- c) Specification/Claims/Abstract
- d) Formal Drawings (4 Sheets - FIGs. 1-4)
- e) Declaration under 37 CFR 1.63
with Patent Application Data Sheet
- f) Power of Attorney
- g) Assignment in favor of: **Nortel Networks Limited**
with Recordation Form PTO-1619A
- j) Return receipt postcard.

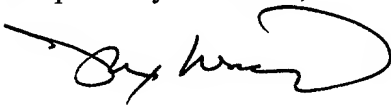
The applicant/inventor(s) qualify for **large** entity status.

Benefit under 35 U.S.C. 119(e) is claimed of United States Provisional Application
No. 60/279,099 filed on March 27, 2001.

The Commissioner is hereby authorized to charge any additional fees which may be required,
or credit any overpayment to our Account No. 19-5113.

Please note that the address of the agents for the applicant in this matter should be the
Montreal address identified in the enclosed Power of Attorney. Correspondence may be
directed to **Max R. Wood** at the Montreal address of Ogilvy Renault.

Respectfully submitted,



Max R. Wood
Reg. No. 40,388
Agent of Record

Encls.

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PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number

9-13528-177US

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

| FOR | NUMBER FILED | NUMBER EXTRA |
|---|-----------------|--------------|
| BASIC FEE (37 CFR 1.16(a)) | | |
| TOTAL CLAIMS (37 CFR 1.16(c)) | 29 minus 20 = * | 9 |
| INDEPENDENT CLAIMS (37 CFR 1.16(b)) | minus 3 = * | |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d)) | | |

| RATE | FEE |
|--------------|----------|
| | \$ _____ |
| x \$ _____ = | |
| x _____ = | |
| + _____ = | |
| TOTAL | 0 |

| RATE | FEE |
|-----------|--------|
| | \$ 740 |
| x \$ 18 = | 162 |
| x 80 = | |
| + _____ = | |
| TOTAL | 902 |

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

| AMENDMENT A | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|---|---|---|------------------|
| Total (37 CFR 1.16(c)) | * | Minus ** | = |
| Independent (37 CFR 1.16(b)) | * | Minus *** | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | |

| RATE | ADDI- TIONAL FEE |
|---------------------|------------------------|
| x \$ _____ = | |
| x _____ = | |
| + _____ = | |
| TOTAL ADDIT. FEE | 0 |

| RATE | ADDI- TIONAL FEE |
|---------------------|------------------------|
| x \$ _____ = | |
| x _____ = | |
| + _____ = | |
| TOTAL ADDIT. FEE | 0 |

| AMENDMENT B | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|---|---|---|------------------|
| Total (37 CFR 1.16(c)) | * | Minus ** | = |
| Independent (37 CFR 1.16(b)) | * | Minus *** | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | |

| RATE | ADDI- TIONAL FEE |
|---------------------|------------------------|
| x \$ _____ = | |
| x _____ = | |
| + _____ = | |
| TOTAL ADDIT. FEE | 0 |

| RATE | ADDI- TIONAL FEE |
|---------------------|------------------------|
| x \$ _____ = | |
| x _____ = | |
| + _____ = | |
| TOTAL ADDIT. FEE | 0 |

| AMENDMENT C | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|---|---|---|------------------|
| Total (37 CFR 1.16(c)) | * | Minus ** | = |
| Independent (37 CFR 1.16(b)) | * | Minus *** | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | |

| RATE | ADDI- TIONAL FEE |
|---------------------|------------------------|
| x \$ _____ = | |
| x _____ = | |
| + _____ = | |
| TOTAL ADDIT. FEE | 0 |

| RATE | ADDI- TIONAL FEE |
|---------------------|------------------------|
| x \$ _____ = | |
| x _____ = | |
| + _____ = | |
| TOTAL ADDIT. FEE | 0 |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.